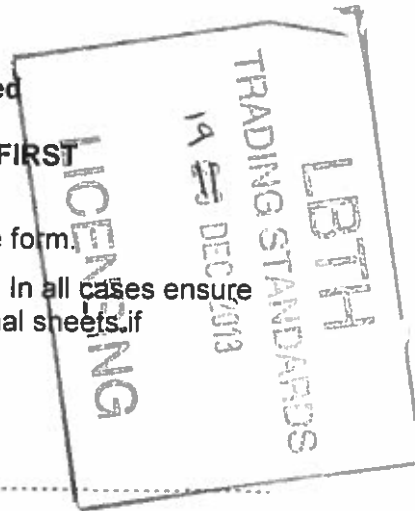


# Appendix 1

**Application for a premises licence to be granted  
under the Licensing Act 2003  
PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**



Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**We** Hive Locations LLP

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Swan Wharf 60 Dace Road Tower Hamlets			
<b>Post town</b>	London	<b>Post code</b>	E3 2NQ

Telephone number at premises (if any)	
Non-domestic rateable value of premises	To be assessed

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick yes

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)

- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					


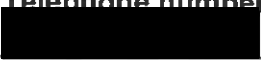

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

<b>Name</b> Hive Locations LLP
<b>Address</b> 
<b>Registered number (where applicable)</b> OC387516
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Limited Liability Partnership
<b>Telephone number (if any)</b> 
<b>E-mail address (optional)</b> 

**Part 3 Operating Schedule**

When do you want the premises licence to start?

Day Month Year

1 5 : 0 1 ; 2 0 1 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

**Please give a general description of the premises (please read guidance note1)**

Premises as shown edged red on the plan for pop up dining space bar, private function spaces and external terrace encouraging interaction within the creative talent of the local community

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>		
Mon					
Tue			<b>State any seasonal variations for performing plays (please read guidance note 4)</b>		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b> Part of a pop up dining space /bar encouraging interaction with creative talent of the local community and private functions		
Mon	09:00	23:00			
Tue	09:00	23:00	<b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>		
Wed	09:00	23:00			
Thur	09:00	00:00			
Fri	09:00	00:00	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sat	00:00	01:00			
	09:00	00:00	On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		
Sun	00:00	01:00			
	09:00	23:00			

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)
Tue			
Wed			
Thur			<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>					
Mon								
Tue								
<b>Wed</b> (with dotted lines for start/finish)			<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</b>					
						<b>Thur</b> (with dotted lines for start/finish)		
<b>Fri</b> (with dotted lines for start/finish)			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</b>					
						<b>Sat</b> (with dotted lines for start/finish)		
<b>Sun</b> (with dotted lines for start/finish)								

**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	23:00	<b>Please give further details here</b> (please read guidance note 3) Part of a pop up dining space /bar encouraging interaction with creative talent of the local community and private functions		
Tue	09:00	23:00			
Wed	09:00	23:00	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	00:00	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		
Sat	00:00	01:00			
	09:00	00:00			
Sun	00:00	01:00			
	09:00	23:00			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3) Part of a pop up dining space /bar encouraging interaction with creative talent of the local community and private functions		
Mon	09:00	23:00			
Tue	09:00	23:00	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	09:00	23:00			
Thur	09:00	00:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	09:00	00:00			
Sat	00:00	01:00	On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		
	09:00	00:00			
Sun	00:00	01:00			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Part of a pop up dining space /bar encouraging interaction with creative talent of the local community and private functions		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	09:00	00:00			
Fri	09:00	00:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		
Sat	00:00	01:00			
	09:00	00:00			
Sun	00:00	01:00			

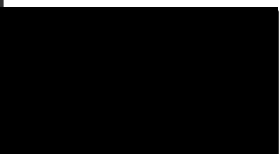

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>  Anything similar to e, f, or g		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</b>	Indoors	<input type="checkbox"/>
Mon	09:00	23:00		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	09:00	23:00	<b>Please give further details here (please read guidance note 3)</b>		
Wed	09:00	23:00			
Thur	09:00	00:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</b>		
Fri	09:00	00:00			
Sat	00:00	01:00	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
	09:00	00:00			
Sun	00:00	01:00			
	09:00	23:00			

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption</b> (Please tick box) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	08:00	23:00			
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:30			
Fri	08:00	00:00			
Sat	00:00	01:00			
	08:00	00:00			
Sun	00:00	01:00			
	08:00	23:00			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
			On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor**

<b>Name</b> Rufus Lawrence
<b>Address</b> 
<b>Postcode</b> 
<b>Personal Licence number (if known)</b>
<b>Issuing licensing authority (if known)</b>

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here (please read guidance note 3)</b> Part of a pop up dining space /bar encouraging interaction with creative talent of the local community and private functions		
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>		
Thur	23:00	00:00			
Fri	23:00	00:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</b>  On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.		
Sat	00:00	01:00			
	23:00	00:00			
Sun	00:00	01:00			

**K**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:30	
Tue	08:00	23:30	
Wed	08:00	23:30	
Thur	08:00	00:00	
Fri	00:00 08:00	00:30 00:00	
Sat	00:00 08:00	01:30 00:00	
Sun	00:00 08:00	01:30 23:30	
<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b> On New Year's Eve the finish time to be extended to 03:00 on New Year's Day.			



**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

See Consultation Document

**b) The prevention of crime and disorder**

See Consultation Document

**c) Public safety**

See Consultation Document

**d) The prevention of public nuisance**

See Consultation Document

**e) The protection of children from harm**

See Consultation Document

Please tick yes


- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures (please read guidance note 10)**

Signature	
Date	
Capacity	

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	19 <sup>th</sup> December 2013
Capacity	Solicitors and Agents for the Applicant

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)**

Angela Cromey



Post town London Post code 

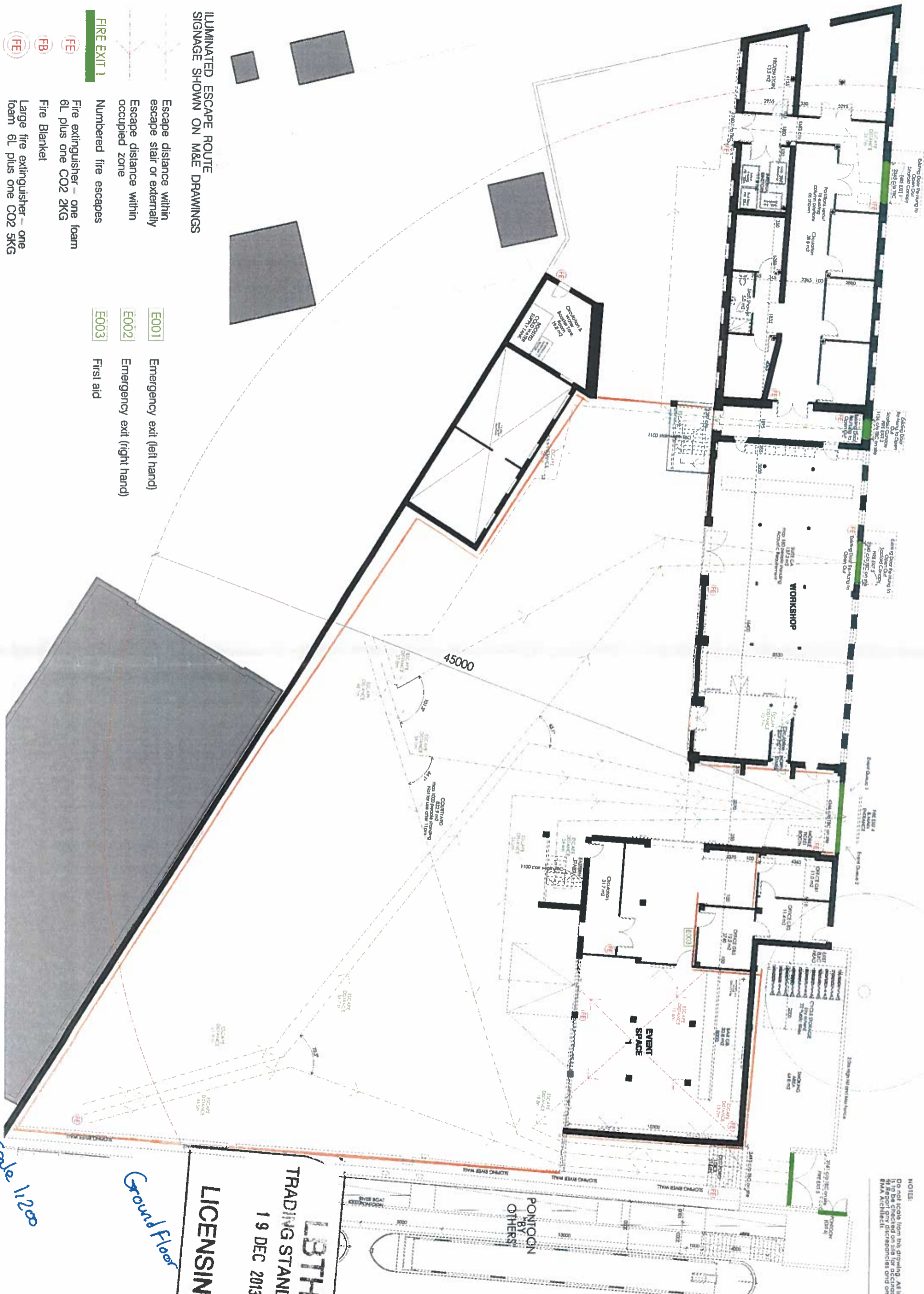
Telephone number (if any) 

If you would prefer us to correspond with you by e-mail your e-mail address (optional)



## Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick 'on the premises', if you wish people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If you wish people to be able to do both please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



**ILLUMINATED ESCAPE ROUTE  
SIGNAGE SHOWN ON M&E DRAWINGS**

Escape distance within  
escape stair or externally

Escape distance within  
occupied zone

**E001** Emergency exit (left hand)

**E002** Emergency exit (right hand)

**E003** First aid

**FIRE EXIT 1**

- FE** Fire extinguisher - one foam 6L plus one CO2 2KG
- FB** Fire Blanket
- FE** Large fire extinguisher - one foam 6L plus one CO2 5KG

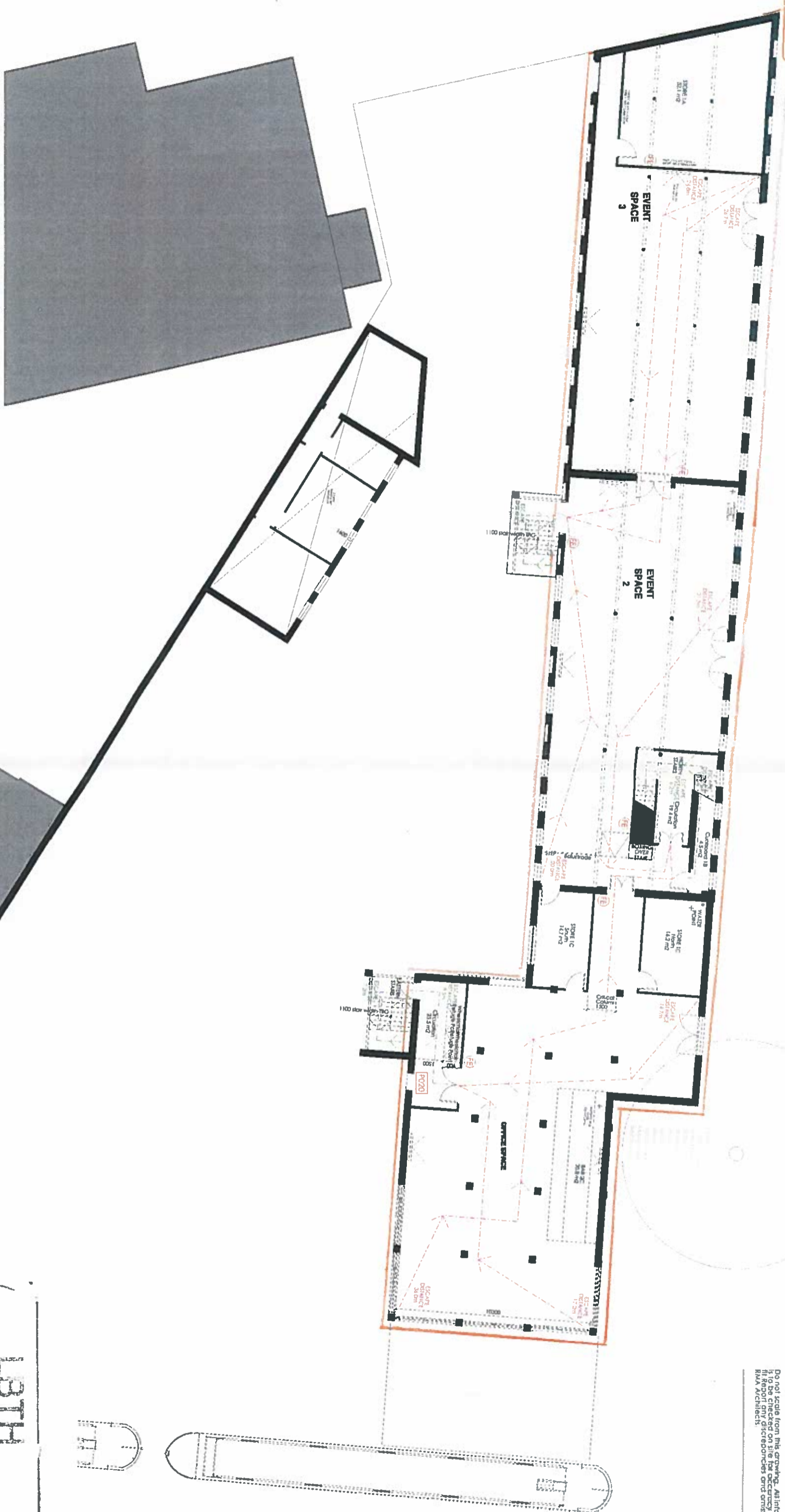
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*Scale 1:1250*

**LBTH**  
TRADING STANDARDS  
19 DEC 2013  
**LICENSING**

NOTES:  
Do not scale from this drawing. All information is to be checked on site for accuracy and report any discrepancies and omissions to RMA Architects

NOTES  
 Do not scale from this drawing. All information  
 is to be checked on site for accuracy and  
 RMA Architects



**ILLUMINATED ESCAPE ROUTE  
 SIGNAGE SHOWN ON M&E DRAWINGS**

- Escape distance within  
escape stair or externally
- Escape distance within  
occupied zone
- Numbered fire escapes

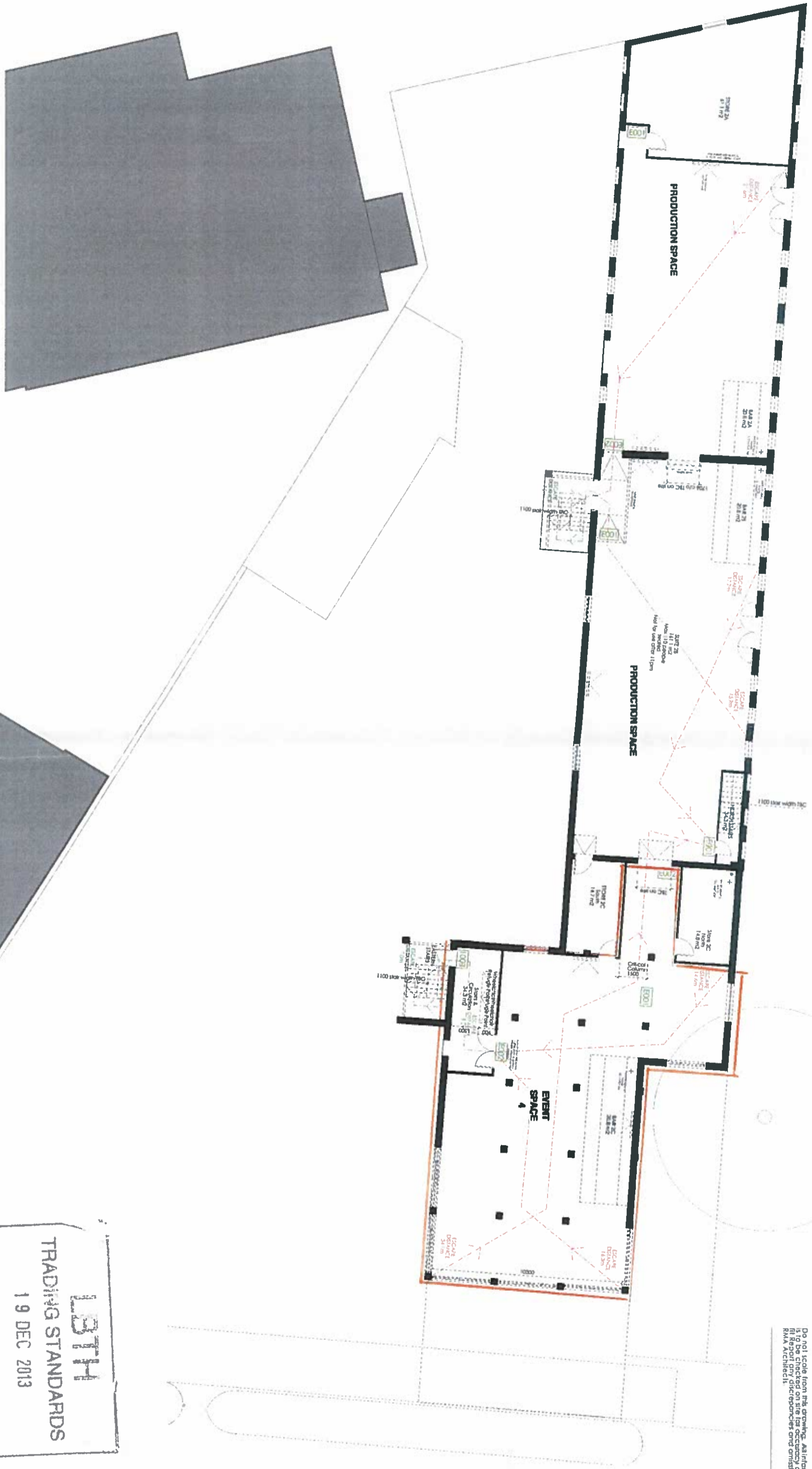
**FIRE EXIT 1**

- Fire extinguisher - one foam  
6L plus one CO2 2KG
- Fire Blanket
- Large fire extinguisher - one  
foam 6L plus one CO2 5KG

- Emergency exit (left hand)
- Emergency exit (right hand)
- First aid

**LBTH**  
 TRADING STANDARDS  
 19 DEC 2013  
**LICENSING**

*1st Floor  
 Scale 1:200*

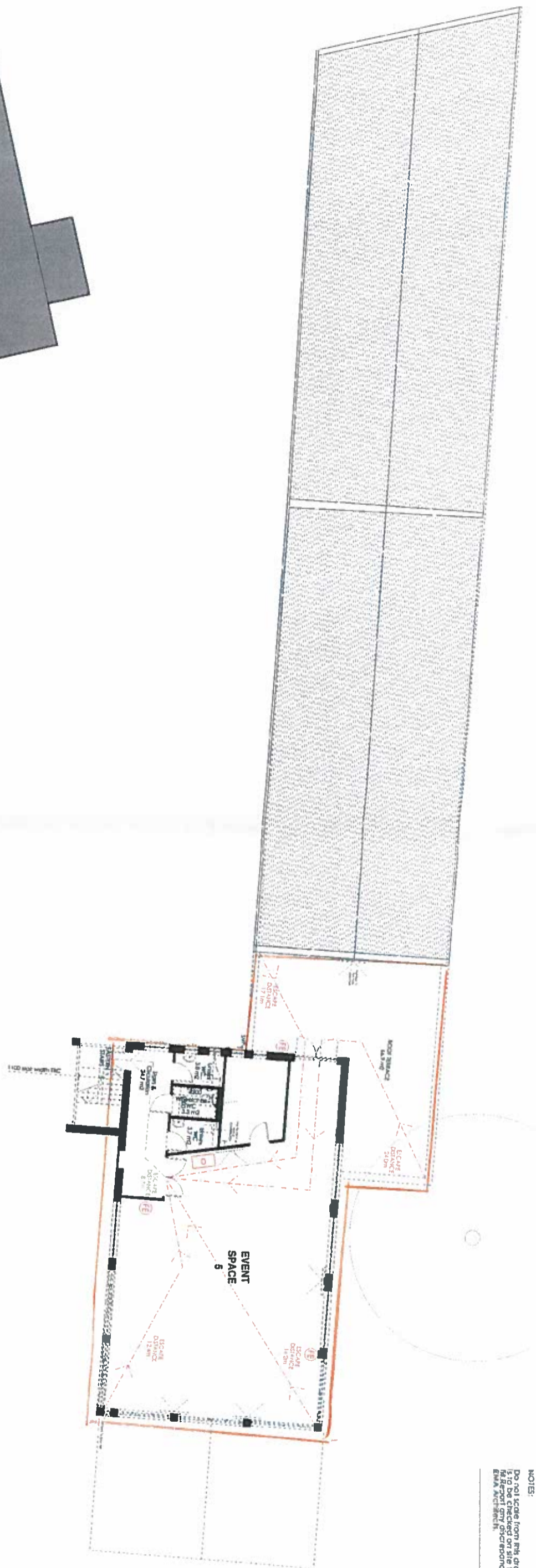


- Escape distance within  
escape stair or externally
  - Escape distance within  
occupied zone
  - Numbered fire escapes
  - Fire extinguisher – one foam  
6L plus one CO2 2KG
  - Fire Blanket
  - Large fire extinguisher – one  
foam 6L plus one CO2 5KG
- 
- E001 Emergency exit (left hand)
  - E002 Emergency exit (right hand)
  - E003 First aid

**L3TH**  
 TRADING STANDARDS  
 19 DEC 2013  
**LICENSING**

*2nd floor*  
*scope*  
*1:200*

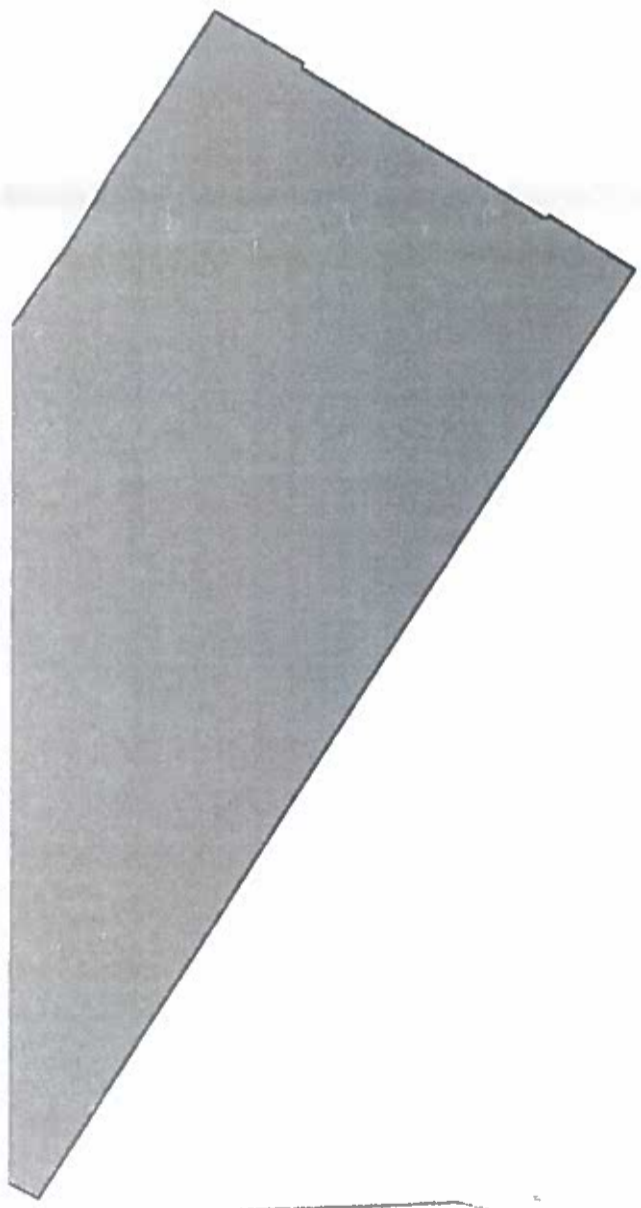
NOTES:  
Do not scale from this drawing. All information is to be checked on site for accuracy and supported by site responses and omissions to BSA 100/100/100.



- Escape distance within escape stair or externally
- Escape distance within occupied zone
- Numbered fire escapes
- Fire extinguisher - one foam 6L plus one CO2 2KG
- Fire Blanket
- Large fire extinguisher - one foam 6L plus one CO2 5KG

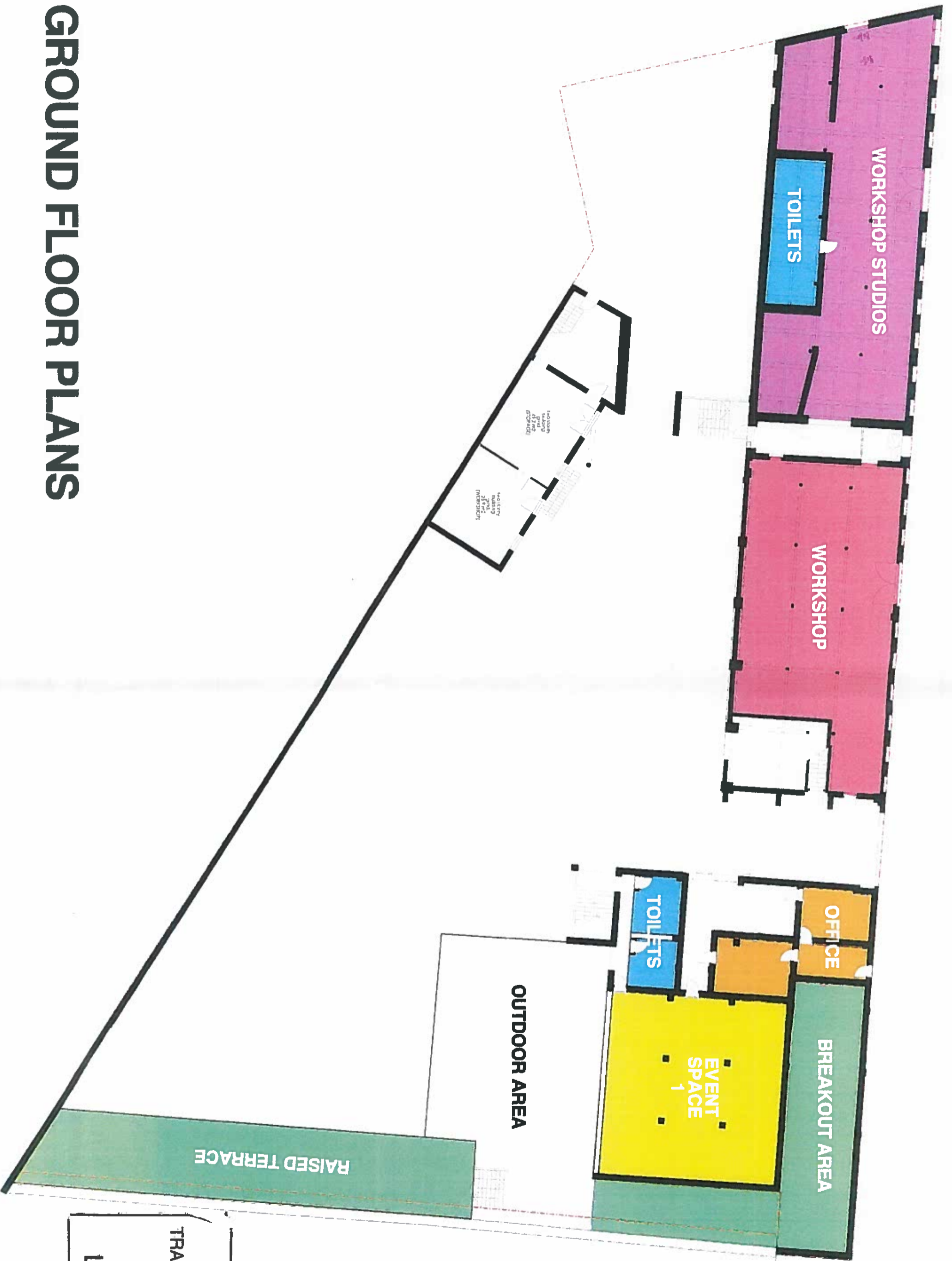
- E001 Emergency exit (left hand)
- E002 Emergency exit (right hand)
- E003 First aid

**FIRE EXIT 1**



**BSA**  
TRADING STANDARDS  
19 DEC 2013  
**LICENSING**

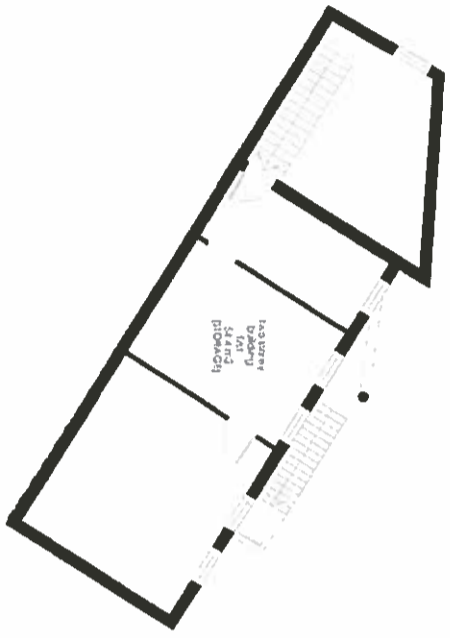
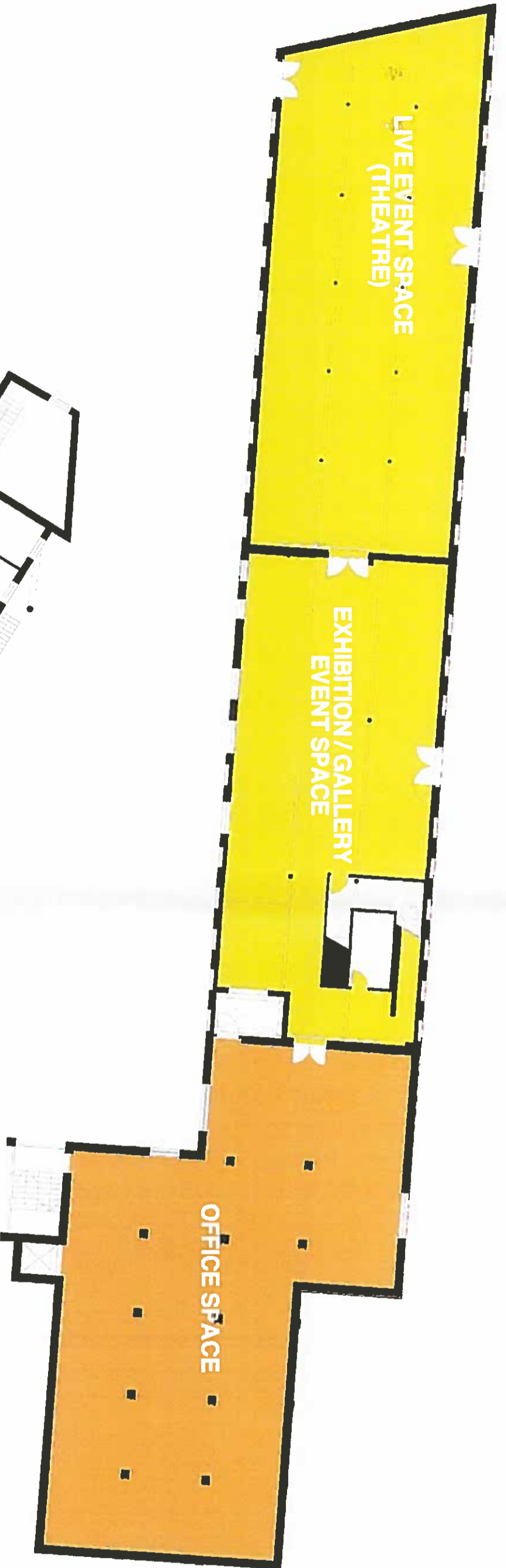
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*Scale 1:200*



# GROUND FLOOR PLANS

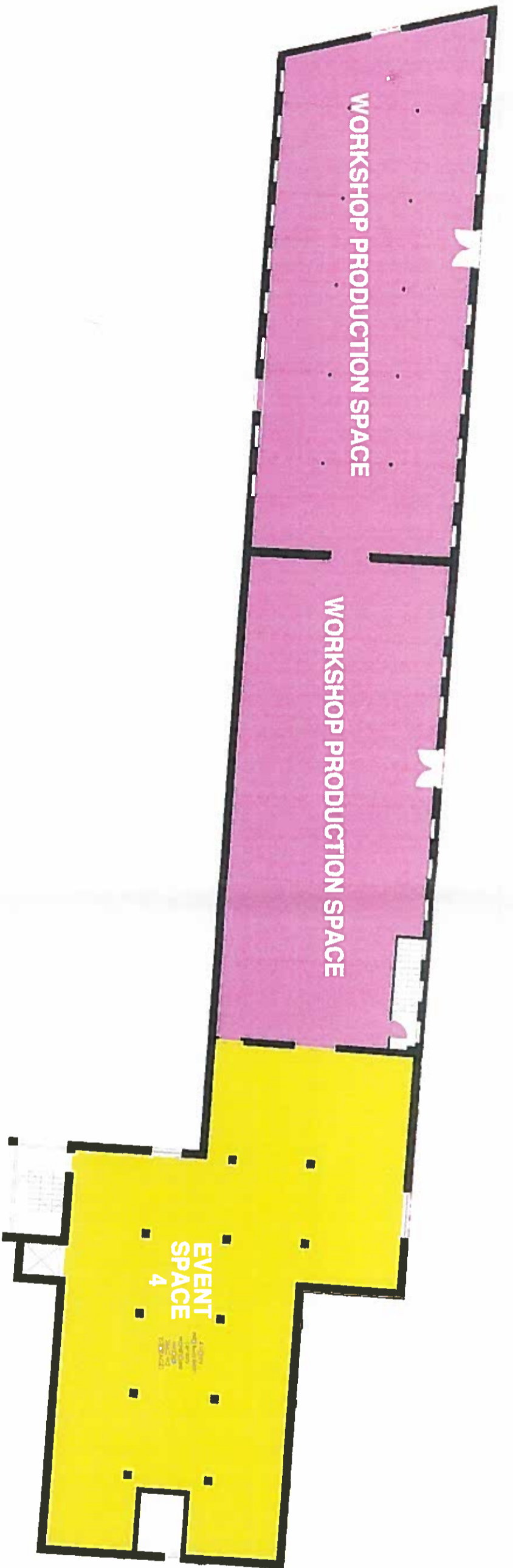
**LBTH**  
 TRADING STANDARDS  
 19 DEC 2013  
 LICENSING





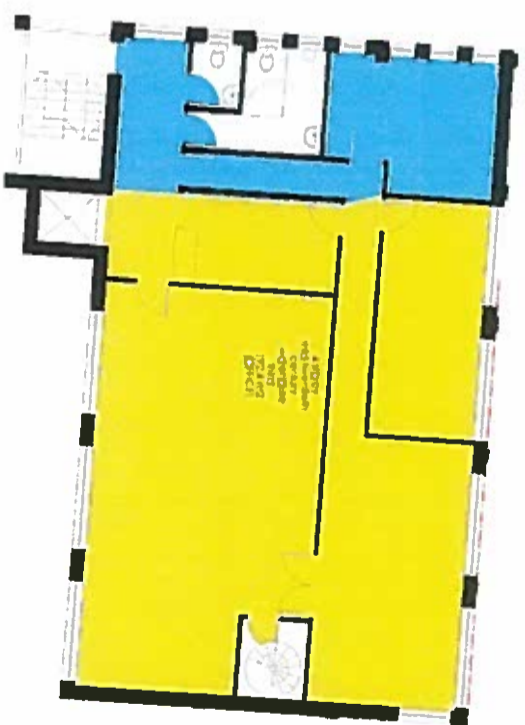
# 1ST FLOOR PLANS

**LBTH**  
TRADING STANDARDS  
19 DEC 2013  
LICENSING



# 2ND FLOOR PLANS

**LBTH**  
TRADING STANDARDS  
19 DEC 2013  
LICENSING



# 3RD FLOOR PLANS

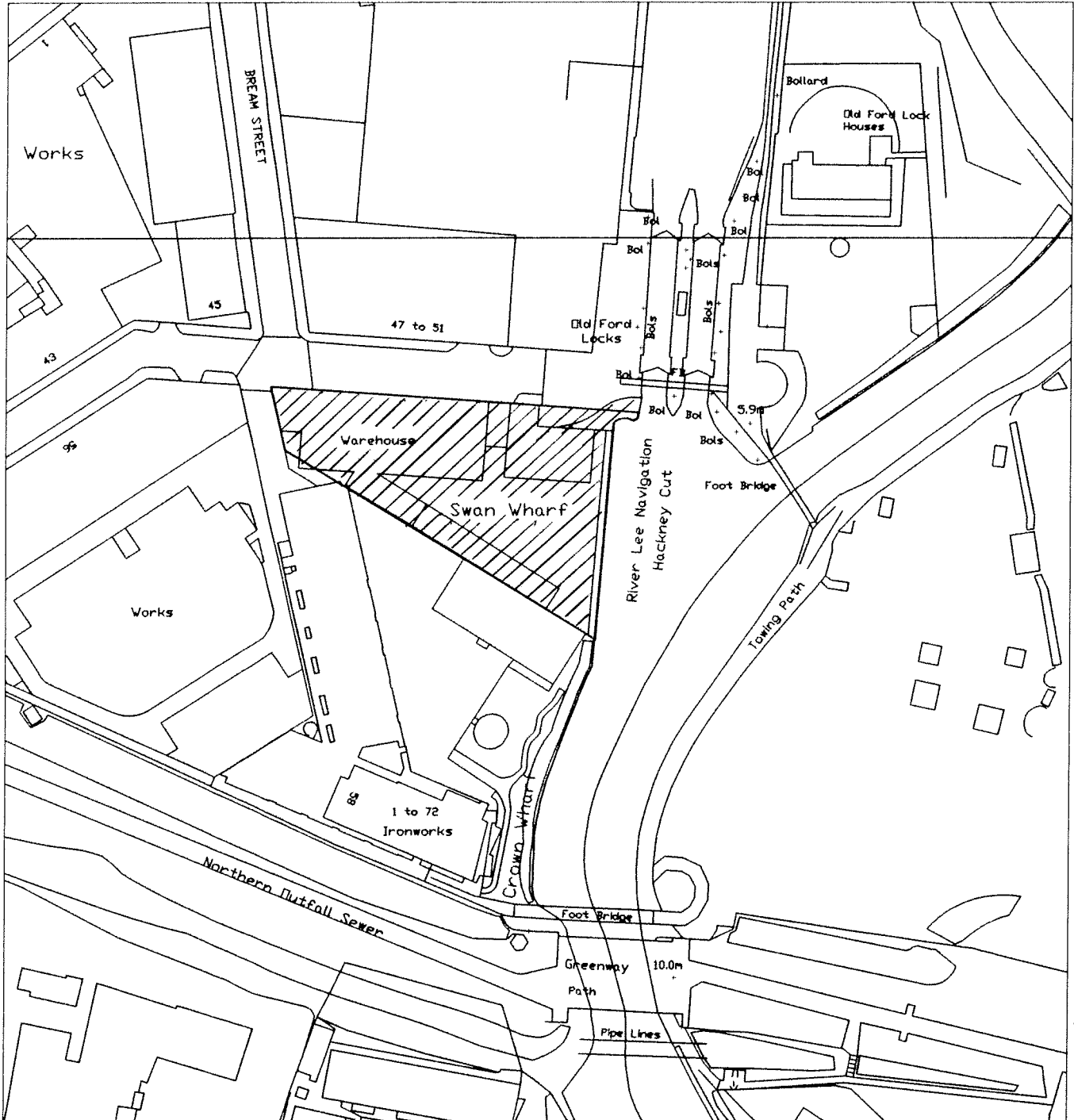
**LBTH**  
TRADING STANDARDS  
19 DEC 2013  
LICENSING

# Appendix 2



# ASSET MANAGEMENT

Title	SWAN WHARF	Scale	1:1250	Date	06: 12: 11	Dwg. No.	
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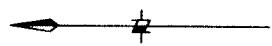
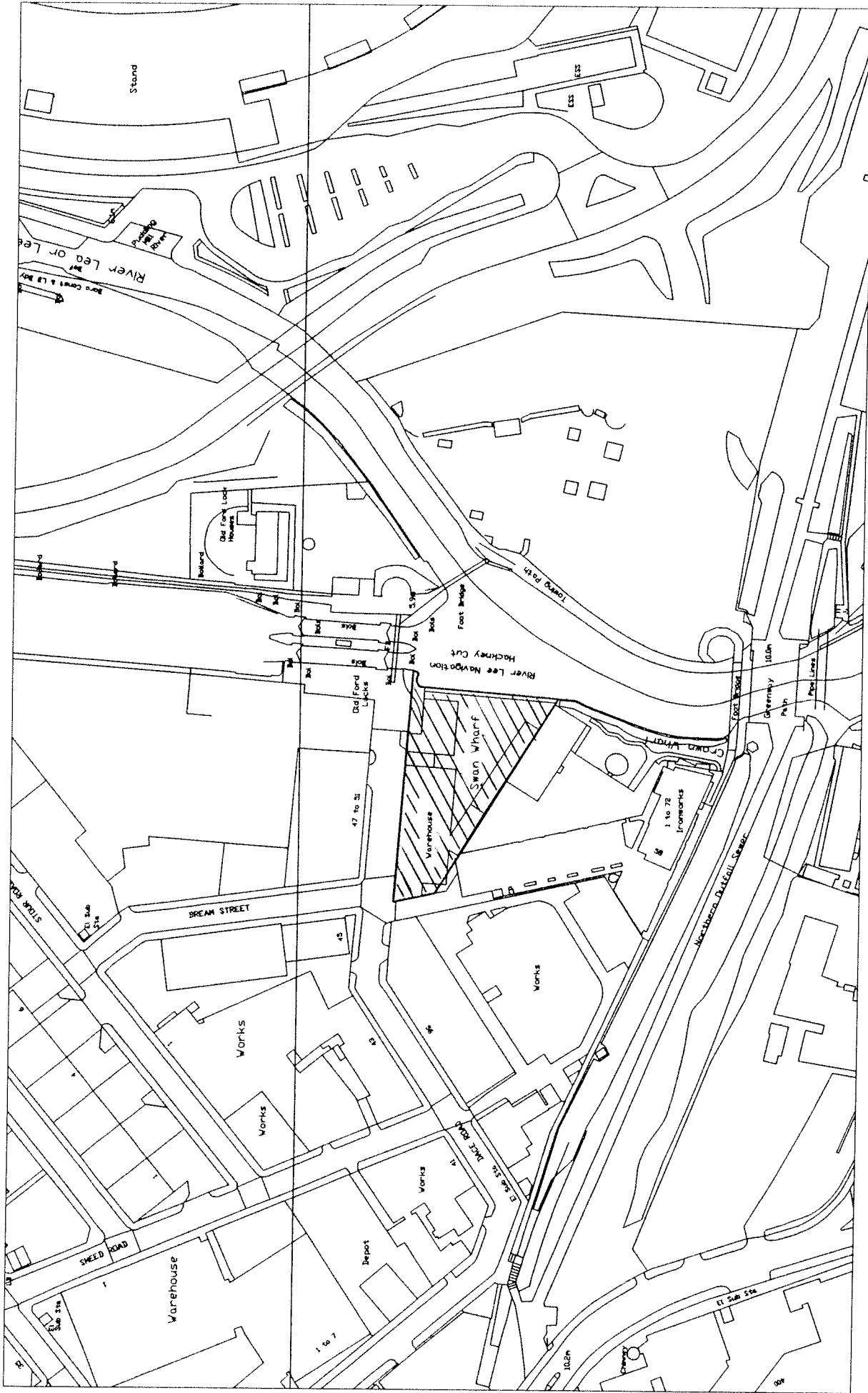


Site boundary

**SWAN WHARF**

Location Plan  
Scale 1:1250

**Asset Management**



Scale 1/1250

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# Appendix 3

## Section 182 Advice by the Home Office

Updated June 2013

### Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the



recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.
- 9.10 Licensing authorities should consider providing advice on their websites about how any person can make representations to them.

# Appendix 4

## Mohshin Ali

---

**From:** Alkesh Solanki  
**Sent:** 04 February 2014 10:54  
**To:** Licensing  
**Cc:** Mohshin Ali; MARK.J.Perry@met.police.uk; Alan.D.Cruickshank@met.police.uk; Clive Shipman; Trish Barber  
**Subject:** SWAN WHARF. 60 DACE RD.  
**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Licensing,

**Further** to the E-mail thread below, I write to notify Licensing Team that EH/EP object to this premises application on the grounds that it will not meet the licensing objective for the prevention of public nuisance.

I do not accept many aspects of the noise management "chapter" of the Swan Wharf Future Consultation Document, especially as they are using their permission from the Olympics as a template and are considering an acoustic report from 2011.

The Olympics and Paralympics were one off events for our country but also it was so close to our locality and hence a special licence was granted as the expectations were that residents would be more tolerant to noise nuisance. Alas, during the few occasions that Swan Wharf operated during these grand occasions, the Council did receive noise complaints from local residents that were investigated and action was taken to ensure that the nuisance was abated.

Within the current application (and important to stress that each application must be judged on its merits) and after negotiations and attempting to find a happy, workable medium, as far as I am concerned, to PREVENT PUBLIC NUISANCE, the following should be formed as conditions along with the other proposals suggested by the applicant in their operating schedule:

- music or other amplified sound played within the premises or the external areas must not be audible inside any residential premises with the window open **at any time**;
- music or other amplified sound played in the external areas can only be audible on residential terraces up to 8pm Monday to Sunday;
- Deliveries and servicing to take place between 8am and 6pm Monday-Friday and between 8am and 1pm Saturdays;
- The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements;
- There shall be no striptease or nudity, and all persons shall be decently attired at all times;
- The external areas should not be used for sitting out, eating or drinking outside the hours of 8 am and 9 pm Monday to Thursday, 8 am and 10 pm Fridays & Saturdays and 11 am to 9pm Sunday;
- 

Sunday to Thursday, terminal hour for all licensable activity 23.00 hours and closed at 23.30 hours; and

•  
Friday and Saturday, terminal hour for all licensable activity 00.30 hours and closed at 01.00 hours.

With IRON WORKS, residential estate directly adjacent to the proposed, I hope the Licensing sub-committee will conclude that to prevent public nuisance, my proposed licensing conditions, along with other proposals made in the applicants consultation document will be the most appropriate course of action.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 1BY | 020 7364 6518/5007 | [alkesh.solanki@towerhamlets.gov.uk](mailto:alkesh.solanki@towerhamlets.gov.uk)

---

**From:** Alkesh Solanki  
**Sent:** 30 January 2014 14:49  
**To:** 'Robert Sutherland'  
**Cc:** Trish Barber [REDACTED]  
**Subject:** RE: SWAN WHARF. 60 DACE RD.  
**Importance:** High

Hello Robert,

Thanks for getting back to me... we can start, in earnest to resolve our issues.

Further to your E-mail, I have the following comments to make.

- No music or other amplified sound shall be played within the premises or the external areas so as to be audible from the nearest affected residential premises;

“The residential balcony looks over the courtyard, so we think this will be very hard. Can we say it will not be audible after a certain hour?”

I will not agree to this as it would mean, technically, that regulated entertainment can take place which will be audible at residential, up to a certain hour. So I would be agreeing to residential loss of amenity and thus the possibility of noise amounting to a statutory and or public nuisance. I do not think that my condition is unreasonable.

- The external areas should not be used for sitting out, eating or drinking outside the hours of 11am and 9pm Mondays- Sundays

“We want to serve breakfast and dinner, so would look to say 8am and 10pm“

I am happy to agree 10pm only on Friday and Saturday but it will depend on the type of numbers you are proposing. What is the maximum number given that, as you correctly say “The residential balcony looks over the courtyard.”

I am happy to trial the 8am start but will insist that it is 11am on Sunday.

Looking forward to your thoughts on this matter at your earliest convenience.

Regards,  
Alkesh

---

**From:** Robert Sutherland [REDACTED]  
**Sent:** 28 January 2014 21:25  
**To:** Alkesh Solanki  
**Cc:** MARK.J.Perry@met.police.uk; Trish Barber; Angela Cromeey; Robert Sutherland  
**Subject:** SWAN WHARF. 60 DACE RD.  
**Importance:** High

Dear Alkesh

Please accept my apologies for the delay, my client's initial thoughts are below

- Deliveries and servicing to take place between 8am and 6pm Monday-Friday and between 8am and 1pm Saturdays;

This is fine.

- No music or other amplified sound shall be played within the premises or the external areas so as to be audible from the nearest affected residential premises;

The residential balcony looks over the courtyard, so we think this will be very hard. Can we say it will not be audible after a certain hour?

- The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements;

This is fine.

- There shall be no striptease or nudity, and all persons shall be decently attired at all times;

This is fine.

- The external areas should not be used for sitting out, eating or drinking outside the hours of 11am and 9pm Mondays- Sundays

We want to serve breakfast and dinner, so would look to say 8am and 10pm

If we can agree the above we would agree the hours put forward by yourself namely:

- Sunday to Thursday, terminal hour for all licensable activity 23.00 hours and closed at 23.30 hours; and

- Friday and Saturday, terminal hour for all licensable activity 00.30 hours and closed at 01.00 hours.

Regards,

Robert Sutherland  
Director and Solicitor Advocate  
for Jeffrey Green Russell Limited

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**From:** Alkesh Solanki  
**Sent:** 02 January 2014 22:51  
**To:** [REDACTED]  
**Cc:** MARK.J.Perry@met.police.uk  
**Subject:** RE: SWAN WHARF. 60 DACE RD.

Dear Angela,

I would like the following conditions to be added to the operating schedule as part of your application.

- Deliveries and servicing to take place between 8am and 6pm Monday-Friday and between 8am and 1pm Saturdays;
- No music or other amplified sound shall be played within the premises or the external areas so as to be audible from the nearest affected residential premises;

- The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements;
- There shall be no striptease or nudity, and all persons shall be decently attired at all times; and
- The external areas should not be used for sitting out, eating or drinking outside the hours of 11am and 9pm Mondays- Sundays

In terms of the hours that you have applied for, which are not line line with the Council's licensing framework policy, however I am willing to stray from the aforementioned policy and thus offer you:

- Sunday to Thursday, terminal hour for all licensable activity 23.00 hours and closed at 23.30 hours; and
- Friday and Saturday, terminal hour for all licensable activity 00.30 hours and closed at 01.00 hours.

I am back in the office next week but look forward to your response in the meantime.

Many thanks,  
Alkesh.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 1BY |  
020 7364 6518/5007 | [alkesh.solanki@towerhamlets.gov.uk](mailto:alkesh.solanki@towerhamlets.gov.uk)

---

**From:** Alkesh Solanki  
**Sent:** 26 December 2013 21:56  
**To:** [REDACTED]  
**Cc:** Alan.D.Cruickshank@met.police.uk  
**Subject:** SWAN WHARF. 60 DACE RD.

Dear Angela,

Please allow me to introduce myself, I am the EHO dealing with this application. I would like to have an opportunity to add specific conditions to this application and request that you reduce the operating hours that are in line with the Council's licensing framework policy. If this can be agreed I would not be inclined to offer an adverse representation to committee.

I will revert to you in due course with my proposals.

Regards,  
Alkesh.

Mr Alkesh Solanki | Pollution Team | Environmental Protection | London Borough of Tower Hamlets | E14 1BY |  
020 7364 6518/5007 | [alkesh.solanki@towerhamlets.gov.uk](mailto:alkesh.solanki@towerhamlets.gov.uk)

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This email has been scanned for all viruses by the MessageLabs SkyScan service.

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# Appendix 5



## Mohshin Ali

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**From:** Marc Francis  
**Sent:** 06 February 2014 14:27  
**To:** Licensing  
**Cc:** John Mccrohan; Kathy Driver; Mohshin Ali; Simmi Yesmin; Simmi Yesmin  
**Subject:** Swan Wharf, Fish Island E3 - Licensing Application

Sir/Madam,

I am writing, as the ward councillor for Fish Island, to register my objections to *Hive Location LLP's* licensing application for Swan Wharf on the grounds of the prevention of nuisance and the prevention of crime and disorder.

My objections are informed not only by this application and its accompanying documents, but by the experience of neighbouring residents in Iron Works when licensable activities took place around the time of the 2012 Olympic Games. In some places, Iron Works is just 5 metres from the boundary of Swan Wharf and residents there were subjected to extensive noise nuisance from within the venue, the courtyard adjacent to the main building and also when leaving it. I note with interest that Hive has made no mention of the problems its events caused or the lessons it has learned from those and more recent events.

The lack of any meaningful sound insulation within Swan Wharf means there is no obstacle to noise emanating from this building. The noise management strategy contained within Hive's supporting documents simply restates a set of proposals that have already proven to be inadequate on more than one occasion. In my view, it would be a very serious public nuisance to around a hundred residents living in Iron Works to have to put up with recorded music until 11pm during the week, and especially until midnight on Thursdays and 1am on a Friday and Saturday nights. Effectively, it would make their lives a misery.

Furthermore, since the destruction of the boundary wall by Hive's contractors in the run-up to the Olympics, there is no physical barrier between Swan Wharf and Iron Works. As a result, the two buildings combine to amplify sound created between them. The request for live music in this outdoor space just metres away from residents' bedrooms for the same set of hours is therefore even more unacceptable than that for recorded music within Swan Wharf. Such activity cannot be anything other than a public nuisance during those hours. The lack of this boundary wall also means partygoers will be able to access the Iron Works site.

Finally, the proposals in Hive's accompanying statement cannot give anyone any confidence that it will be able to ensure its patrons leave the premises quietly after it closes. The idea that a few posters and stewards will ensure that up to one thousand patrons Hive is applying for the venue to hold is risible. The statements about the availability of public transport in the area serve only to highlight its scarcity during the daytime and absence late at night. This was acknowledged during the consideration of the Olympics application, which claimed access and egress to Swan Wharf would be principally via the "Water Chariot" canal boat service.

As a result, Hive's patrons will inevitably be relying either on minicabs to get to a main transport station or wondering around trying to work out which way to walk to get home. The experience of residents in Iron Works after the Temporary Event last August suggests that many intoxicated people will simply mill around on Dace Road for an hour or more, directly outside their homes, talking loudly and in some instances shouting and arguing with one another. In addition, given its location, there is little prospect of the police being able to respond in a timely manner to any serious incidents of crime and disorder that do occur.

In summary, therefore, I believe there are sufficient grounds for the Licensing Authority to reject this application outright on the grounds of both the prevention of public nuisance and the prevention of crime and disorder. I hope *Hive* will be persuaded to withdraw this application and engage in a meaningful consultation with residents in Iron Works about what would constitute acceptable activities within Swan Wharf and the hours of such operations. If it chooses not to do so, I would like the opportunity to explain my own objections to this application in detail to the Licensing Sub-committee.

Yours sincerely,

Marc

**Cllr Marc Francis**

**Bow East ward**  
**London Borough of Tower Hamlets**

# Appendix 6

## Mohshin Ali

---

**From:** Andrew Heron on behalf of Licensing  
**Sent:** 11 January 2014 17:54  
**To:** Mohshin Ali  
**Subject:** FW: IRONWORKS, FLAT 5, 58 DACE ROAD, E3 2NX

**From:** rebecca shawyer [REDACTED]  
**Sent:** 11 January 2014 13:11  
**To:** Licensing  
**Subject:** [REDACTED]

Good Afternoon,

I am writing to object to the license permission of Swan Wharf 60 Dace Road. I Understand they are planning to put forward a license application for a venue/club which would offer alcohol to be sold of their premises.

Being a resident at the IRONWORKS this would be really off-putting, disruptive & inappropriate for several reasons.

- 1) Crime could rise in the area
- 2) It would be a nuisance as a resident as it would be loud, disruptive & potentially could leave rubbish in local area.
- 3) The club could be a danger as its located next to the canal which has easy access & dearly a drunken Clubber could wander the wrong direction.

Over the time of the Olympics the Venue opened briefly & it was highly disruptive then and on that basis only I strongly object to them having a full term license.

Please keep me informed as to the progression of the application and any potential/future meetings you may have regarding the application itself.

Kindest Regards,  
Rebecca Shawyer & Liam Chivers.

# Appendix 7

## Mohshin Ali

---

**From:** Andrew Heron on behalf of Licensing  
**Sent:** 11 January 2014 17:54  
**To:** Mohshin Ali  
**Subject:** FW: URGENT: Swan Wharf licence application  
**Attachments:** swan.pdf; Tower Hamlets Letter.pdf

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Vivienne Bellamy [REDACTED]  
**Sent:** 11 January 2014 11:30  
**To:** Licensing  
**Cc:** Marie Harding; [REDACTED]  
**Subject:** URGENT: Swan Wharf licence application  
**Importance:** High

Dear Sir or Madam

Further to my email below, I have received an auto response advising that Marie Harding will be out of office until 15th January.

In view of the urgent nature of my request for an extension to the consultation period with regard to Hive Locations' premises licence application, I would be grateful if you could deal with this matter in Ms Harding's absence.

I look forward to hearing from you.

Yours sincerely

Vivienne Bellamy

---

**From:** [REDACTED] ] On Behalf Of Vivienne Bellamy  
**Sent:** 10 January 2014 23:50  
**To:** 'Marie Harding'; [mayor@london.gov.uk](mailto:mayor@london.gov.uk); [Marc.Francis@towerhamlets.gov.uk](mailto:Marc.Francis@towerhamlets.gov.uk)  
**Cc:** [REDACTED]; [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk); 'Giselle Ottley'  
**Subject:** [air\_members] Swan Wharf licence application  
**Importance:** High

Dear Ms Harding

Thank you for forwarding Hive Locations' premises licence application in respect of Swan Wharf.

Since parts of the Iron Works are within 15 metres of Swan Wharf and most of our homes directly face it, the granting of this licence clearly will have a profound impact on residents in terms of noise and disruption.

However, with Tower Hamlets' notification letter dated 20th December and the premises licence start date of 15th January, Iron Works residents have been given just 14 business days in which to assess the implications and prepare a response. Hive Locations' application appears to be timed to ensure the least resistance, since many residents will have been away over the Christmas / new year period.

I would request that the consultation period be extended to allow for proper consideration of Hive Locations' licence application by Iron Works residents.

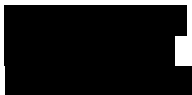
My main concerns are:

- 1) Hive Locations is planning to have OUTDOOR live music and dance until 1 am on Friday and Saturday nights and 11pm on Sundays (pages 9 and 11 of the application). When this has happened in the past, residents have been subjected to 12-hour sessions of extremely loud thumping music and sounds of revelry outside our windows, with no respite other than to leave our homes.
- 2) The Swan Wharf venue is not sound-proofed so music played inside (page 10 of the application) is still loud enough to cause a nuisance to residents.
- 3) How will hoards of party-goers leave the area late at night when there is no nearby public transport?
- 4) The Victorian brick wall which once separated the Iron Works from Swan Wharf was demolished by Swan Wharf's freeholder prior to the 2012 Olympics and has never been reinstated. This poses a serious threat to the security of the Iron Works. Despite numerous emails to Giselle Ottley at LLDC (cc'd above) since Feb 2013 requesting that it look into the matter of the demolished brick wall and the freeholder's failure to reinstate it (which was a condition of the temporary premises licence granted for Swan Wharf during the Olympic period), I have received no response.

I would be grateful for your urgent response regarding extension of the consultation period.

Yours sincerely

Vivienne Bellamy




---

**From:** Marie Harding [<mailto:Marie.Harding@towerhamlets.gov.uk>]  
**Sent:** 08 January 2014 12:37  
**To:** 'Vivienne Bellamy'  
**Subject:** RE: Swan Wharf licensing application

As requested.

Regards

\*\*\*\*\*  
 Working Together for a Better Tower Hamlets  
 Web site : <http://www.towerhamlets.gov.uk>

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# Appendix 8



## Mohshin Ali

---

**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 13 January 2014 09:28  
**To:** Mohshin Ali  
**Subject:** FW: Licencing Act 2003 and Swan Wharf 60 Dace Road E3 2NA New Premise  
**Attachments:** 20140112\_112055.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mohshin,  
One of yours.  
Alex.

---

**From:** David Preston [REDACTED]  
**Sent:** 12 January 2014 13:24  
**To:** Licensing  
**Subject:** Licencing Act 2003 and Swan Wharf 60 Dace Road E3 2NA New Premise

Dear Sir/Madam

I am writing on behalf of the Association of Ironworks Residents (AIR), the recognised residents' association for the Iron Works, which contains 77 residential units and adjoins Swan Wharf. Our members have unanimously voted to object to the Swan Wharf licencing application. In our members' opinion Swan Wharf is a really unique space and if used in the correct manner it could prove to be very beneficial to the local area. However, AIR objects to the application as currently formulated on the grounds of the prevention of nuisance, the prevention of crime and disorder and public safety.

### Prevention of nuisance

With regard to the application for the **performance of live music outside** it should be noted that Swan Wharf together with The Ironworks forms what is effectively an amphitheatre containing any noise that is generated from the external areas of both buildings. This means that any live music taking place in the external courtyard of Swan Wharf is amplified significantly and severely impacts residents overlooking Swan Wharf. This actually occurred a week before the 2012 London Olympics when Swan Wharf held a launch party with live music in their courtyard. The result was that Ironworks' residents had to contact Tower Hamlets to complain about the noise as early as 9pm. In fact it was so loud that residents had to decamp to the front of their properties in order to avoid the noise. More recently Swan Wharf held a one off event indoors but at the end of the evening people waiting for taxis congregated under the archway in the middle of Swan Wharf and the noise just from a group of about 20 people caused a massive noise issue in the early hours of the morning.

With regard to the application for the **playing of recording music inside** it should be noted that Swan Wharf has a corrugated roof with no insulation and approximately 14 single glazed windows (most containing Perspex, not even glass) facing the Ironworks. This offers very little protection regarding sound isolation. One of our members has spent many years working as a professional sound engineer and has a background in building recording studios. In his opinion the building is not of a standard which can allow the operator to play recorded music in the evening without having a substantial impact on local residents.

### Prevention of crime and disorder

Furthermore, and In the case of both applications, we have serious concerns about the sheer number of people exiting Swan Wharf at the same time and requiring taxis. Fish Island is not well served by public transport and there is only way in and out. The combination of these two factors means that the local area could easily be swamped by private cars and taxis. Additionally that volume of people leaving at the same time would generate a lot of noise and the potential for disorder at both the front and rear of Swan Wharf further impacting Ironworks' residents.

### Public safety

A current issue, and one particularly relevant to the application for the **performance of live music outside** is that there is presently no boundary fence or wall separating the Western section of Swan Wharf from the Ironworks. The owners demolished a perfectly good brick wall and have since failed to reinstate it, despite requests to do so. I have attached a photograph showing the wholly inadequate fencing that sits between the Ironworks and Swan Wharf. Over the last year we have had to endure camera crews from Swan Wharf using the Ironworks as though it was part of Swan Wharf and even abusing residents when challenged. Until there is a proper boundary fence or wall between the two developments then we would have serious concerns about partygoers trespassing onto the Ironworks or using it as some kind of shortcut.

### Summary

The statement in the general description of the premises describes it as “for pop up dining space, bar, private function spaces and external terrace encouraging interaction within the creative talent of the local community” and we, as part of the local community, would actively encourage a proposal that has these aims at its heart but not at the price of making life in the evenings a misery for residents living in the Ironworks, particularly those living adjacent to Swan Wharf. We certainly don't see how late night entertainment is compatible with the aims laid out in the application's description.

It is the opinion of the Residents Association that Swan Wharf is entirely unsuitable as a venue for entertainment in the evenings, either indoors or outdoors. We therefore object to the application for the **performance of live music outside** and object to the application for the **playing of recording music inside** unless a condition was imposed on the licence that both should finish no later than 8pm in the evening.

My contact details are as follows :-

David John Preston  
Honorary Treasurer – Association of Ironworks Residents





# Appendix 9

## Mohshin Ali

---

**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 13 January 2014 09:59  
**To:** Mohshin Ali  
**Subject:** FW: Swan wharf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mohshin,  
One for you.  
Alex.

-----Original Message-----

**From:** Billy Riaz [REDACTED]  
**Sent:** 13 January 2014 01:34  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Swan wharf

Hi there,

I am writing this email to strongly object to the planning permission for the proposed club/venue at swan wharf.

The temporary license they were granted not so long ago brought so many issues.

Litter, no parking, drunk people on the streets who we're making a nuisance to everyone. Extremely loud music which would keep our 3 year old awake throughout the night.

On certain evenings it even seemed unsafe as there were so many unsavoury people which looked like they were hanging around.

This location just does not seem an acceptable place for such a venue.

I hope you can take my objections seriously.

My details are:

Mr billal butt  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Please let me know if you require me to elaborate further.

Thanks

Billal

# Appendix 10

## Mohshin Ali

---

**From:** Andrew Heron on behalf of Licensing  
**Sent:** 13 January 2014 11:57  
**To:** Mohshin Ali  
**Subject:** FW: Swan Wharf, Hackney Wick E3: license/Prevention of public nuisance

**From:** Alexander Mayor [REDACTED]  
**Sent:** 13 January 2014 11:50  
**To:** Licensing  
**Cc:** Will Mayor  
**Subject:** Swan Wharf, Hackney Wick E3: license/Prevention of public nuisance

Hi there

I'd like to register concern about the proposed license for Swan Wharf. I live in Iron Works, the large residential development behind the proposed new venue. Music and noise travels far in this area as there so few businesses (we know this from the Olympics period where Forman's Fish Island hosted events), also the building makes extensive use of glass frontages to bedrooms/living areas, which are more conductive of sound.

I'm all for new businesses in the area and am not against the idea of a bar opening on the street per se, but given the echo-y layout and position of our building very close to this venue and the likelihood of loud music / smoking area noise, a license to 1-3am is unacceptable. I would be happy if the venue disallowed outside-use after 12, with limiters on decibel level beyond midnight.

Within our building, the management company rules are 'no noise after 11pm without arrangement'. If a venue next door is allowed to make noise/music after this hour, the likelihood is a general spiralling of noise made by other tenants too. This is absolutely unacceptable.

Yours  
Alexander Mayor

[REDACTED]  
[REDACTED]  
[REDACTED]

# Appendix 11



## Mohshin Ali

---

**From:** Alex Lisowski  
**Sent:** 14 January 2014 16:55  
**To:** Mohshin Ali  
**Subject:** FW: Premises licence application Swan Wharf 60 Dace Road

---

**From:** Darren Scott [REDACTED]  
**Sent:** 14 January 2014 16:31  
**To:** Alex Lisowski  
**Subject:** Re: Premises licence application Swan Wharf 60 Dace Road

Dear Mr Lisowski

I would like to formally object to the above application at Swan Wharf, 60 Dace Road.

The main basis for this objection is the prevention of public nuisance. Hundreds of people live in the building which runs parallel to Swan Wharf. The outside area where dining, live music and other entertainment is proposed overlooks the courtyard of the Iron Works building at 58 Dace Road. When Swan Wharf were granted a temporary licence during the Olympics, the sound from INSIDE Swan Wharf filled the Iron Works courtyard (with its impressive acoustics) each night, making it sound as though each of our flats were on top of a nightclub. When considering this application, you should note that Swan Wharf is a HUGE building - it is not some small bar. Filling this with sound and people is immense.

I'm sure you can appreciate that this is not acceptable. People's bedrooms overlook the outside area where the application is proposed for. This is not some central London student flat - this is residential, with young children and older people living in Iron Works. People come here to live and relax - it's their home.

This would very much make the application a public nuisance. It's quite unacceptable to have a live entertainment/music venue situated so close to so many people paying council tax.

It would also increase the number of people under the influence in the area, the amount of rubbish in the street (it is already quite bad with smashed bottles at the weekend), pose potential security issues to the residents at Iron Works, and increased noise levels with people coming and going at all hours after the venue has closed its doors for the night. I believe this falls under public safety and the prevention of crime and disorder.

It's also with protection of children from harm that I object - as mentioned, there are many families in Iron Works. These children do not need to be kept awake at night, or have to deal with smashed glass and drunk people.

I'm more than willing to discuss this further - please consider that a venue this size cannot be permitted to be used as a late-night licensed establishment. It is far, far too close to a HUGE residential building full of homemakers and tax payers. Currently Swan Wharf is used as a

venue for filming and photo shoots, as well as an office. Let it continue as this, for the reasons listed above and many more.

Best

Darren Scott

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 6 Jan 2014, at 15:08, Alex Lisowski <[Alex.Lisowski@towerhamlets.gov.uk](mailto:Alex.Lisowski@towerhamlets.gov.uk)> wrote:

Dear Mr Scott,

There are four grounds on which you can object to a licence (the licensing objectives):

The prevention of crime and disorder.

The prevention of public nuisance.

Public safety.

The protection of children from harm.

When you set out your objections, they do not have to be listed under the headings above. Just put how you think you will be affected by the licence.

The last day for representations is 16/1/2014.

You can send them by e-mail. Please include your full home address and a contact telephone number.

If objections are received, the application will be decided upon at a hearing of the Council's licensing sub-committee. You will be able to attend the meeting and present your objections.

Please send your e-mail to [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk).

Yours sincerely,

Mr A. Lisowski,

Licensing Officer,

The London Borough of Tower Hamlets.

---

**From:** Darren Scott [REDACTED]

**Sent:** 06 January 2014 14:46

**To:** Alex Lisowski

**Subject:** Re: Premises licence application Swan Wharf 60 Dace Road

Dear Mr Lisowski

Thank you for this. What is the official procedure for lodging an objection to this please?

Best

Darren Scott

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

Dear Mr Scott,  
Attached is a copy of the application for Swan Wharf, 60 Dace Road. The last day to make representations is 16/1/2015.

Yours sincerely,  
Mr A. Lisowski,  
Licensing Officer,  
The London Borough of Tower Hamlets.

\*\*\*\*\*

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\*\*\*\*\*

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<L11\_DaceRoad60.pdf>

# Appendix 12

## Mohshin Ali

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**From:** Andrew Heron on behalf of Licensing  
**Sent:** 11 January 2014 17:55  
**To:** Mohshin Ali  
**Subject:** FW: Swan Wharf Licensing - Hackney Wick

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jenny Storey [REDACTED]  
**Sent:** 10 January 2014 23:58  
**To:** Licensing  
**Subject:** Swan Wharf Licensing - Hackney Wick

To whom it may concern

I am a resident of Ironworks, which is adjacent to and shares a boundary with Swan Wharf. I bought my flat in Ironworks in December 2012. I would have seriously reconsidered the purchase had I been aware that there would have been a late licensed outdoor music venue / bar next to the property. I have no objection to the building's current use, but I certainly object to a licence being granted, in some cases up to 3am. It is clear that the owners are trying to incrementally increase the scope of their licence so I am quite concerned that granting this extension will simply lead to further extension requests. The previous owner of Swan Wharf has already knocked down one of the boundary walls between Swan Wharf and Ironworks, which means that we are totally exposed to people coming in and out of the building. We no longer have a porter on site at Ironworks, so I am concerned about the licence extension from both a noise (public nuisance) perspective as well as a crime and disorder perspective.

I recognise that it is preferable to have Swan Wharf in use, but it is not an appropriate space for a late licensed bar or music venue (particularly given its outdoor space, which I understand was used during the Olympics and caused significant noise nuisance to Ironworks residents at the time) given its proximity to a residential building.

This is intended as a full objection to the proposed licence extension as currently proposed. Please ensure that this objection is taken into consideration.

Kind regards

Jenny Storey

# Appendix 13

## Mohshin Ali

---

**From:** Andrew Heron on behalf of Licensing  
**Sent:** 15 January 2014 12:33  
**To:** Mohshin Ali  
**Subject:** FW: License Swan Wharf Objection

**Importance:** High

-----Original Message-----

**From:** ross watters [REDACTED]  
**Sent:** 15 January 2014 12:21  
**To:** Licensing  
**Subject:** License Swan Wharf Objection  
**Importance:** High

To whom it concerns,

following the application of Swan Wharf for licence application I wish to object to proposal on the grounds of and not limited to the prevention of crime and disorder, prevention of public nuisance, public safety and protection of children from harm.

The proposed site is directly next door to the development of Ironworks and the acoustics of the venue to date has proved a nuisance with music being heard within the Ironworks site and noise from patrons of the events.

Since the removal of permit parking on fish island, it has seen a five fold increase of cars parking on Dace road and the surrounding roads, meaning it is now difficult to park my car and that of my partner as a resident - with licensed premises only adding to the parked cars of those who do not live here impacting local residents and leading to potential damage to parked vehicles from drunk patrons.

The noise already experienced from events in Swan Wharf has caused noise issues within Ironworks from the music and people smoking outside the premises and walking to and from the site. This will only increase causing more issues for residents.

The premises will not directly improve local amenities to the residents to Dace road and will cause disruption and nuisance and potential vandalism.

Whilst i am committed to improving the local area, this proposal does not serve the local residents directly and will cause issues in the area, whilst the area is currently looking to gain a conservation area title.

Regards

Mr Ross Watters & Dr Jonathan Hubb

[REDACTED]

# Appendix 14



## Mohshin Ali

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**From:** Mohshin Ali on behalf of Licensing  
**Sent:** 15 January 2014 15:11  
**To:** Mohshin Ali  
**Subject:** FW: Premises licence application Swan Wharf 60 Dace Road

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**From:** Property Management at Concept Spaces [REDACTED]  
**Sent:** 15 January 2014 14:28  
**To:** Licensing  
**Subject:** Re: Premises licence application Swan Wharf 60 Dace Road

Dear Sir/Madam,

I would like to formally object the above application at Swan Wharf, 60 Dace Road on behalf of:

Concept Spaces Limited as well as managed by us flats as follows:  
[REDACTED] Iron Works

In my opinion Iron Works as a residential place should be protected from the following risk factors:

**Public nuisance**- the building is far too close to Swan Wharf meaning that any noise coming from it would affect residents of Iron Works. The building has poor insulation and residents will be able to hear any noise coming from Swan Wharf.

Swan Lake also overlooks the courtyard of Iron Works meaning that proposed dining areas and live music will be visible to residents and young children who should be protected from such a view.

People residing at Iron Works enjoy their privacy and ability to relax which will be affected by proposed application.

**Public safety**- although there is on site porter at Iron Works, the building is not being monitored 24/7. We are aware of several complaints already made usually over the weekend regarding people partying around in local warehouses. With the opening of new nightclub this will no doubt dramatically raise and will have impact on security level as well as build-up of unnecessary litter around.

**Crime and disorder**-I believe that crime level will raise dramatically with opening of new venue which will attract and influence young people in a bad way. Having the night club so close to residential development poses high risk of public being affected not only by constant noise but also serious security risks and possible local vandalism and crime.

**Protection of children from harm**- Iron Works has always been popular as homely place to be for many families with young children. As a managing agents we have a duty of care to our tenants who already started to raise concerns not only about security of their children but also their happiness. Long opening hours of the venue will mean that many families will struggle with getting their children to sleep with ongoing noise coming from the venue.

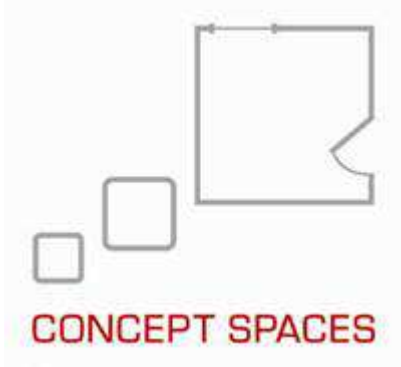
To conclude, I do hope your Authority will make a reasonable decision to ensure that residents of Iron Works aren't affected by this application.

Should you require any further information please do not hesitate to contact me directly on [REDACTED]

Yours faithfully,

**Monika Glogowska-Rea ARLA**  
Property Manager

Property Management Department



## Residential & Commercial Lettings, Sales, Management & Investments



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# Appendix 15

## Mohshin Ali

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**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 16 January 2014 10:04  
**To:** Mohshin Ali  
**Subject:** FW: Swan Wharf Licensing Proposal

Mohshin,  
One of yours.  
Alex.

---

**From:** Simon Hitchenson [REDACTED]  
**Sent:** 16 January 2014 09:39  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Swan Wharf Licensing Proposal

Dear Sirs,

I would like to make known my thoughts on the proposal regarding alcohol and entertainment licensing at Swan Wharf at 60 Dace Road, Bow.

It has come to my attention that an application has been made to serve alcohol until 1am or later on certain days and to host OUTDOOR music events until 11pm, 1am or even 3am.

I am afraid I must object to the use of Swan Wharf as an OUTDOOR music venue, given it's extremely close proximity to over 70 residential properties on the grounds of public nuisance, the protection of children from harm and potentially public safety, too. With absolutely no sound proofing, even if noise limits are imposed there will be severe disruption to residents of the Iron Works building and any surrounding warehouse properties that may be residential (I am unsure of the status of these). If any events are to happen over the Summer (which being realistic, is probably the main reason for Swan Wharf's application to hold outdoor events) Iron Works residents will have to open their windows as the flats are prone to heat retention, particularly during the warmer months. This will mean a completely undiluted audio experience and considerable infringement on our right to a quiet environment in our HOMES. Even with windows shut, there will be no onus on the venue to control noise levels beyond legal limits (which will be unreasonably loud for locals anyway), which will be a considerable nuisance to all Iron Works residents and most in Crown Wharf and Wick Lane Wharf, too. With little option to escape the noise, there is the potential for this to cause damage to hearing, particularly in young children who have more sensitive ears.

The acoustic properties of the Iron Works Courtyard and reflections at the rear off of Crown Wharf have caused problems in the past and in my own case, hours of disruption to my right to peace and quiet in my property. There are also the pulsing vibrations that will no doubt result from amplified bass sounds and the general low frequencies of the sort of music normally played at bars and clubs - I have no reason to believe Swan Wharf will be any different in it's generation of such nuisances.

Having suffered considerable noise pollution from this summer's events in the Olympic Park such as (but not limited to) Wireless Festival and The Electric Daisy Carnival which were over a mile away, I cannot condone the proposal to host outdoor music events so close to residential properties. Watching television at normal and at some points even heightened volumes became difficult due to the noise from the concerts/festivals throughout the day until they finished at 11pm. Having music events even CLOSER than

that means anyone with children will have trouble getting them to sleep at a reasonable hour, without having to mention the interruption of the sleep of adults. I am lead to believe that some residents of the Iron Works have to get up for work at 4am. If a music event finishes at 3am, they will be lucky if they can get an hour of quality sleep which is wholly unacceptable. Even if people rise at more normal hours - 6am or 7am, this is still only 3 or 4 hours sleep - not enough.

I also have concerns about crime and disorder as a result of the late licensing allowing alcohol to be served late into the morning. This particular area of Fish Island seems to be primarily residential and the encouragement of nightclub in such an area, with no immediately close public transport infrastructure or waiting area for taxis suggests there may be congestion, loitering, damage to property (urination, vomiting, fall out from violence/fighting, litter, cigarette smoke, illegal substances?) and general public nuisance. I have never witnessed any kind of police presence on Fish Island before so am concerned that any misdoings may go unchecked.

As a musician myself I enjoy live music but know that playing at very low volumes, even if only with acoustic instruments at home can be a nuisance to neighbours and I would be disappointed if the licence proposed is granted as it would have such a profound and direct effect on the right to so many local residents: over 140 at the Iron Works and considerably more at Wick Lane and Crown Wharfs, as well as those at the peanut factory and surrounding warehouses. There is also the potentially negative effect this licence may have on property/rental values in the area, the current relative quiet (at least in London terms) being transformed nightly by a noisy, undesirable, outdoor music event. While I'm not aware of it being a council requirement (I will need to do some research), leaseholders and tenants at the Iron Works are forbidden from generating sound or music that is audible outside their own property past 11pm. Agreeing a licence that will be generating a considerable dB reading outside ALL properties makes a mockery of this kind of requirement and sets a precedent for encouraging noise pollution and anti-social behaviour with regard to music/noise.

I look forward to this issue being considered with common sense and sympathy for local residents.

Yours faithfully,

Simon Hitchenson (and on behalf of Sarah Lovett)

[Redacted signature block]

# Appendix 16

## Mohshin Ali

---

**From:** Alex Lisowski on behalf of Licensing  
**Sent:** 20 January 2014 09:43  
**To:** Mohshin Ali  
**Subject:** FW: Swan Wharf licence

Mohshin,  
This is one of yours.  
Alex.

-----Original Message-----

**From:** Adam Stork [REDACTED]  
**Sent:** 17 January 2014 18:36  
**To:** Licensing  
**Subject:** Swan Wharf licence

Dear Sir/Madam,

Re Swan Wharf, 60 Dace Road, E3

We live in The Ironworks, and object to the granting of a licence for Swan Wharf to serve alcohol and host outdoor events on a regular basis.

This would be extremely disruptive to an essentially residential area, particularly given how close Swan Wharf is to the flats. The noise is likely to be a significant problem.

There is minimal actual physical barriers from the flats as well as the closeness. This leads to some strong possibility of vandalism, harm to individuals, or worse. In particular, there are children in the flats - we have an 8 year old - and we would be concerned that they could be put at risk from this scheme.

Adam Stork  
[REDACTED]  
[REDACTED]  
[REDACTED]

--

# Appendix 17



Licensing Authority - Tower Hamlets Council  
Mulberry Place (AH),  
5 Clove Crescent,  
London,  
E14 2BG

7<sup>th</sup> February 2014

Dear Sir/Madam,



I am writing in relation to the Notice of Application for New Premises Licence for Swan Wharf, 60 Dace Road, Tower Hamlets, London, E3 2NQ.

I am a resident of the Ironworks development, in which my flat is situated at the closest proximity to Swan Wharf (please see figure 1). It is for this reason that I have taken an interest in the development and applications of Swan Wharf and in particular how they will impact on the Ironworks residents.

I have spoken on two occasions to Rufus Lawrence, the Hive's representative who has given assurance that Swan Wharf will benefit the local community and will make a worthwhile use of a space that has been disused for some time. In principle I am very supportive of the community work and the creative endeavours of this development if implemented correctly and sympathetically.

I do have some concerns that I wish to outline. I believe David Preston from the Association of Ironworks Residents has brought to your attention issues of 'Prevention of crime and disorder' and 'Public safety' but I would like to address further the 'Prevention of nuisance'. It is imperative that measures are taken so that local neighbors who live only meters away are not frequently disturbed by the noise and human traffic which are inevitable with any late night events space.

#### *Soundproofing of the second floor stables*

My primary concern is noise pollution; Swan Wharf has a corrugated roof with no insulation and approximately 14 single glazed windows (some Perspex) facing the Iron Works. This offers very little protection with regards to sound isolation. Figure 2 clearly shows the proximity of these Perspex windows from my balcony. Figure 3 shows a current interior view of the stables roof structure.

I have many years experience working as a professional sound engineer and in the construction of recording studios. I also have a degree in Sound Technology specialising in acoustics. To my mind the Stables in Swan Wharf are currently not of a standard which can allow them to run live or recorded music late night without having a substantial impact on local residents given the proximity of the Iron Works development.

The initial conversion of Swan Wharf from a factory into a 'temporary' pop up events space prior to the Olympics was seen as a 'temporary' venture; consideration into the long term usage of the space and its impact with regard to noise on local residents was not taken into account. If the building was converted for a permanent events space from the outset; then I'm sure their architects would have specified soundproofing for the roof structure and windows with strong thermal and acoustic performance.

I have been made aware that Swan Wharf plans to sound proof the stables roof but in order to give my support to their application these measures need to be in place prior to obtaining a license. I appreciate Swan Wharf may wish to keep the integrity of the internal structure, but from experience the only way to isolate sound (notably low frequencies) is to either add mass or decouple the roof structure; preferably a combination of both.

### *Noise from external stairwell*

Access to the penthouse and water front space is obtained via an external stairwell that is completely exposed (visible in figure 1). I seek to obtain further information on how Swan Wharf proposes to contain the noise as it's clientele change levels and leave the premises on mass. With a large volume of people leaving at the same time this has the potential to generate a lot of noise and disorder. I believe in its current state this will have a significant impact on the Iron Works residents.

### *Noise from Penthouse / Terrace*

To minimize the impact of noise to local residents I would suggest that the terrace be closed after 9pm.

Whilst I agree the transmission of sound from the water front areas and penthouse will have less impact on local residents due to the increased distance from the Ironworks development. I suggest that if noise levels do prove to be above an acceptable level, that an additional door maybe required to the terrace to ensure one is kept shut at all times reducing sound leakage (please see figure 4).

### *Sustained noise*

I am aware that the ground floor of Swan Wharf has been converted into woodworking workshops, which will benefit the local community. I think this is a great idea but I'm keen to avoid a 'tag team' effect whereby local residents have noise generated by machinery during the day (entirely reasonable given the industrial nature of this area) which is then swiftly replaced by noise from the outdoor and indoor bar areas in the evenings, with little respite in between. Noise levels in this situation are difficult to prejudge. I would hope that the dual nature of Swan Wharf would operate much like a fair use contract in that there is only so much noise over a prolonged duration, which can be deemed permissible.

Ironworks residents are already subjected to sustained noise from the renovation of the Olympic stadium/park on a constant and daily basis. This also, needs to be accounted for in your decision.

I would like to re-iterate that I remain supportive of the Swan Wharf Project. Their representatives have been honest and forthcoming and it has been a pleasure to deal with them. I do however hope that they can implement the measures necessary to protect their neighbors from potential noise pollution and disturbances.

It has been difficult for the residents to truly gauge the impact of the events held at Swan Wharf up until this point it has been undergoing renovation so has hosted very few events. I would suggest that local residents should gauge the impact the bar/eating area has during regular operative hours first, I strongly recommend this should be do first prior to the acquisition of a late license.

Yours sincerely,



Ben Cannings



Cc: Jeffery Green Russell Limited at Waverley House



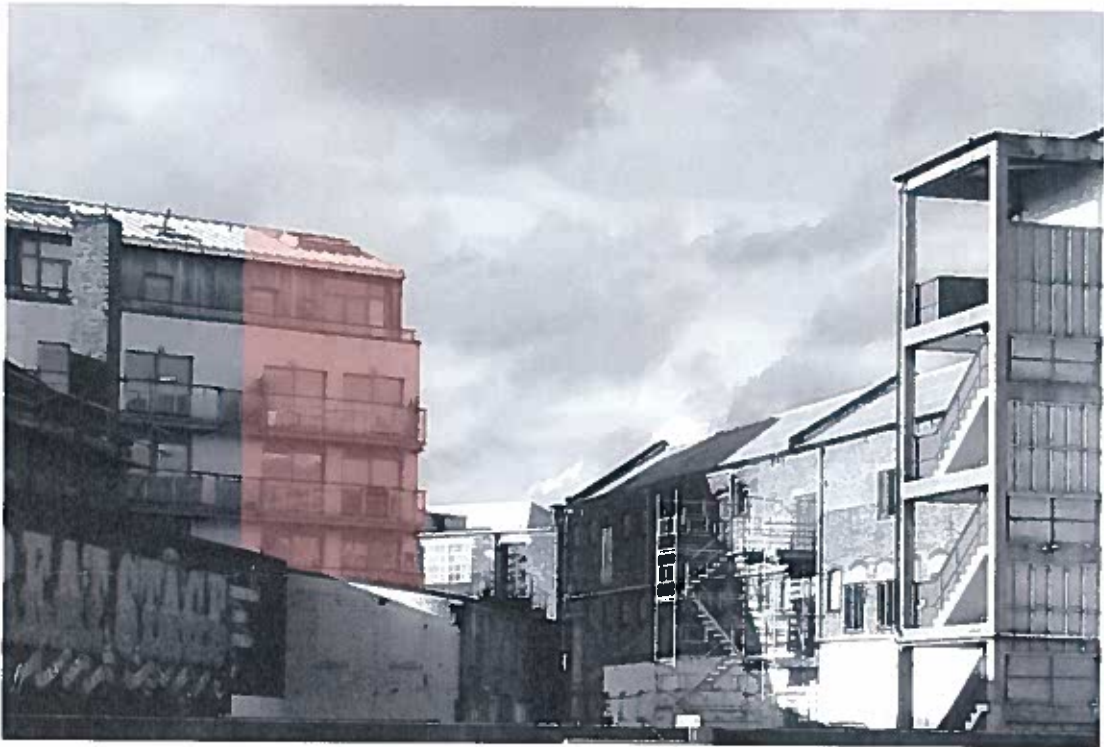


Figure 1.

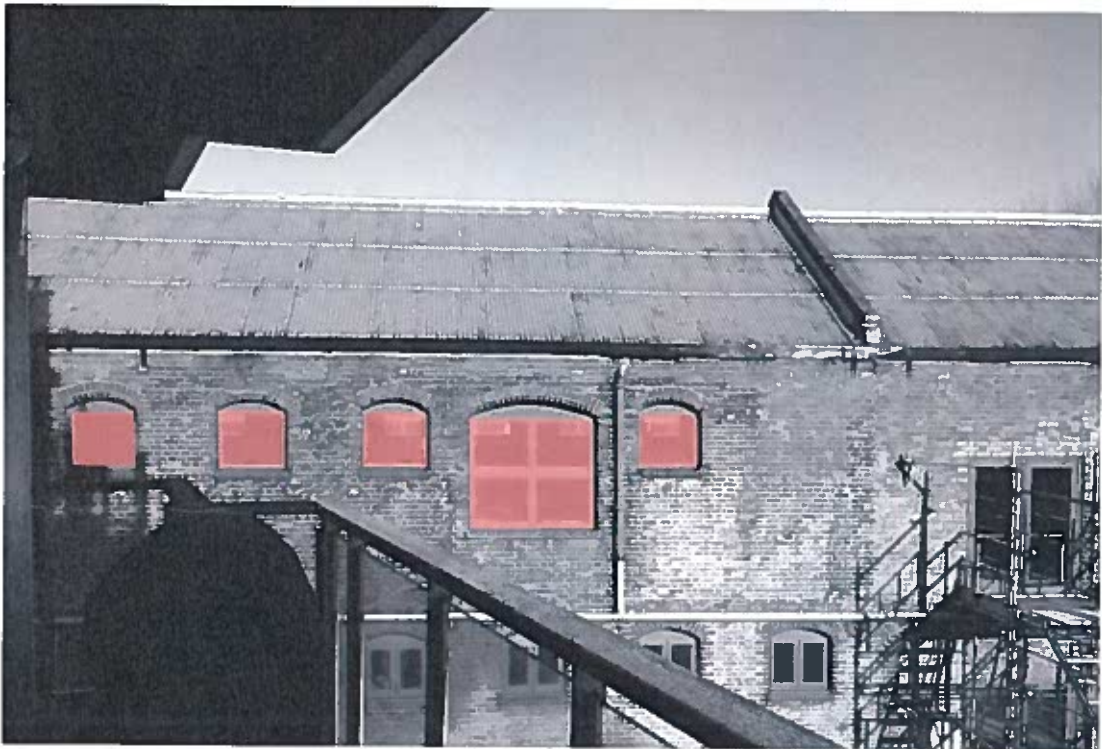


Figure 2.



**Figure 3.** *(Image from taken from hirespace)*



**Figure 4.** *(Image from taken from hirespace)*

# Appendix 18

## Noise while the premise is in use

### General Advice

If they conclude this is a problem Members should consider whether it is possible to carry out suitable and proportionate noise control measures so that noise leakage is prevented. In addition Members may consider that only certain activities are suitable.

The hours of operation also need to be considered (see below).

If Members believe that there is a substantial problem of noise while the premises are in use and it cannot be proportionately address by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Sections 8.1 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.4**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.5**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Sections 8.2 of the Licensing Policy**).

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. (**See Appendix 2 Annex D of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a "beer garden", or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music

- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly
- Conditions controlling the use of explosives, pyrotechnics and fireworks
- Conditions controlling the placing of refuse
- Conditions controlling noxious smells
- Conditions controlling lighting (this needs to be balanced against potential crime prevention benefits)

### Police Powers

Part 8 of the Licensing Act 2003 enables a senior police officer to close down a premises for up to 24 hrs. a premises causing a nuisance resulting from noise emanating from the premises.

### Guidance Issued under Section 182 of the Licensing Act 2003

The Licensing Policy has adopted the recommended Pool of Conditions as permitted (Annex D).

The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community (2.33).

Licence conditions should not duplicate other legislation (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods (2.37) and may address disturbance as customers enter or leave the premises but it is essential that conditions are focused on measures within the direct control of the licence holder (2.39).

### Other Legislation

The Environmental Protection Act 1990, Part 111 gives Environmental Health Officers the power to deal with statutory nuisances.

The Anti-social Behaviour Act 2003, Sections 40 and 41 give Environmental Health Officers the power of closure up to 24 hours in certain circumstances.

# Appendix 19

## Access and egress problems

Such as:

Disturbance from patrons arriving/leaving the premises on foot

Disturbance from patrons arriving/leaving the premises by car

Lack of adequate car parking facilities

Close proximity to residential properties

### Comment

The above have been grouped together as egress problems. Of course the particular facts will be different for each alleged problem.

### General Advice

In considering concerns relating to disturbance from egress, Members need to be satisfied that the premises under consideration has been identified as the source of the actual or potential disturbance. If they are satisfied that this is a problem, then proportionate conditions should be considered.

The hours of operation also need to be considered.

If Members believe that there is a substantial problem concerning egress and it cannot be proportionately addressed by licensing conditions, they should refuse the application.

### Licensing Policy

The policy recognises that noise nuisance can be an issue, especially if a premises is open late at night. (**See Section 8.1 of the Licensing Policy**).

The Licensing Authority expects the applicant to have addressed all nuisance issues relating to the premises in their operating schedule and to have sought appropriate advice from the Council's Environmental Health Officers. (**See Section 8.2 of the Licensing Policy**).

The policy also recognises that staggered closing can help prevent problems at closure time (**See Section 12.4**).

However, while all applications will be considered on their merits, consideration will be given to imposing stricter conditions in respect of noise control where premises are situated close to local residents. (**See Section 12.5**)

The Council has adopted a set of framework hours (**See 12.8 of the licensing policy**). This relates to potential disturbance caused by late night trading.

The Licensing Authority will consider attaching conditions to prevent nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to the prevention of Public Nuisance. (**See Appendix 2 Annex G of the Licensing Policy**). In particular Members may wish to consider (this list is not exhaustive):

- hours of opening (this needs to be balanced against potential disorder caused by artificially early closing times)
- Whether certain parts should close earlier than the rest (for example a “beer garden”, or restricted in their use)
- Whether or not certain activities should have to close at an early hour, for example live music
- Conditions controlling noise or vibration (for example, noise limiters, keeping doors and windows closed).
- Prominent clear and legible notices at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly

#### Guidance Issued under Section 182 of the Licensing Act 2003

The pool of conditions, adopted by the council is recommended (Annex G). The prevention of public nuisance could include low-level nuisance, perhaps affecting a few people living locally as well as major disturbance affecting the whole community. (2.33).

Licence conditions should not duplicate other legislation (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39).

In certain circumstances conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave (2.37).

However, it is essential that conditions are focused on measures within the direct control of the licence holder. Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.39)



# Appendix 20

## Crime and disorder on the premises

### Licensing Policy

The Licensing Authority expects the applicant to have addressed all crime and disorder issues relating to the premises in their operating schedule and to have sought appropriate advice. **(See Sections 5.2. of the Licensing Policy)**

The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy)**. In particular Members may wish to consider (this list is not exhaustive):

- Methods of management communication
- Use of registered Door Supervisors
- Bottle Bans
- Plastic containers
- CCTV
- Restrictions on open containers for “off sales”
- Restrictions on drinking areas
- Capacity
- Proof of Age scheme
- Crime prevention notices
- Drinks promotions-aimed at stopping irresponsible promotions
- Signage
- Seating plans
- Capacity

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

### Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public safety.

Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (Annexe D).

The key role of the police is acknowledged (2.2).

Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Guidance Issued under Section 182 of the Licensing Act 2003

Conditions can be imposed for large capacity “vertical consumption” premises (10.41).

Guidance Issued by the Office of Fair Trading

This relates to attempts to control minimum prices

Other Legislation

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

# Appendix 21

## Crime and disorder from patrons leaving the premises

### General Advice

Members need to bear in mind that once patrons have left a premises they are no longer under direct control. Members will need to be satisfied that there is a link between the way the premises is operating and the behaviour that is complained of. An example of this would be that irresponsible drinking is being encouraged. Before deciding that any particular licensing conditions are proportionate, Members will also need to be satisfied that other legislation is not a more effective route. For example, if the problem is drinking in the street it may be that the Council should designate the area as a place where alcohol cannot be consumed in public.

Members may also wish to consider whether the hours of opening relate to any problems of anti-social behaviour.

If Members believe that there is a substantial problem of anti-social behaviour and it cannot be proportionately addressed by licensing conditions they should refuse the application.

### Licensing Policy

The policy recognises that other legislation or measures may be more appropriate but also states that licensing laws are “a key aspect of such control and will always be part of an overall approach to the management of the evening and night time economy.” Other controls need to be borne in mind. **(See Section 4.10 and 4.11 of the Licensing Policy).**

- The Licensing Authority will consider attaching conditions to deter crime and disorder and these may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder. **(See Appendix 2 Annex D of the Licensing Policy).**

### Police Powers

The Licensing Act 2003, Part 8 gives a senior police officer the power to close a premises for up to 24 hours where the officer believes there is, or is likely to be disorder on or in the vicinity and closure is necessary in the interests of public.

### Guidance Issued under Section 182 of the Licensing Act 2003.

The pool of conditions, adopted by the council is recommended (Annexe D).

The key role of the police is acknowledged (2.2).

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Conditions attached to licences cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff or agents, but can directly impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek entry or leave (2.4).

Conditions are best targeted on deterrence and preventing crime and disorder (S.2.6) communication, CCTV, police liaison, no glasses, capacity limits are all relevant (S.2.7-2.11).

Conditions can be imposed for large capacity “vertical consumption” premises (10.41).

*There is also guidance issued around the heading of “public nuisance as follows*

The pool of conditions, adopted by the council is recommended (Annexe G).

Licence conditions should not duplicate other legislation (1.17).

Necessary and appropriate conditions should normally focus on the most sensitive periods and may address disturbance as customers enter or leave the premises (2.37) but it is essential that conditions are focused on measures within the direct control of the licence holder” (2.39). Conditions relating to behaviour once they are beyond the control of the licence holder cannot be justified. (2.37)

### Other Legislation

#### Crime and Disorder Act 1998

The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder.

The Act also introduced a wide range of measures designed to address anti-social behaviour committed by adults and young people. These include:

- Anti-Social Behaviour Orders
- Child Curfew Schemes
- Truancy
- Parenting Orders
- Reparation Orders
- Tackling Racism

# Appendix 22

## **Planning**

An application for a Premises Licence can be made in respect of a premises even where the premises does not have relevant Planning Permission. That application has to be considered and Members can only refuse the application where the application itself does not promote one of more of the Licensing Objectives. Members cannot refuse just because there is no planning permission. Where a Premises Licence is granted and which exceeds what is allowed by the Planning Permission and that Premises then operates in breach of planning then the operator would be liable to enforcement by Planning.

# Appendix 23

## Licensing Policy relating to hours of trading

All applications have to be considered on their own merits.

The Council has however adopted a set of framework hours as follows

- Monday to Thursday 06:00 hours to 23:30 hours
- Friday and Saturday 06:00 hours to midnight
- Sunday 06:00 hours to 22:30 hours

(see 12.8 Of the licensing policy)

In considering the applicability of frame work hours to any particular application regard should be had to the following

- Location
- Proposed hours of regulated activities, and the proposed hours the premises are open to the public
- The adequacy of the applicants proposals to deal with issues of crime and disorder and public nuisance
- Previous history
- Access to public transport
- Proximity to other licensed premises, and their hours

(see 12.8 of the licensing policy)

Subject to any representations to the contrary in individual cases the following premises are not generally considered to contribute to late night anti-social behaviour and will therefore generally have greater freedom

- Theatres
- Cinemas
- Premises with club premises certificates
- Premises licensed for off sales only

(see 12.9 of the licensing policy)